

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 19554-AD20-0713-100

IN THE MATTER OF:

Elaine M. Lefevre
5106 Drawbridge Lane,
Garland, TX 75044-5460

Applicant.

Type of Agency Action: Enforcement

License Application #: 786829

FILED

AUG 20 2020

STATE OF INDIANA
DEPT. OF INSURANCE

PRELIMINARY ADMINISTRATIVE ORDER
AND NOTICE OF LICENSE DENIAL

The Indiana Department of Insurance ("Department"), pursuant to the Indiana Administrative Orders and Procedures Act, Indiana Code § 4-21.5-1 *et seq.* and Indiana Code § 27-1-15.6-12, hereby gives notice to Elaine M. Lefevre ("Applicant") of the following Administrative Order:

1. Applicant submitted an application with the Commissioner of the Indiana Department of Insurance ("Commissioner") on June 24, 2020, requesting the re-activation of her nonresident producer license number 622051.
2. Applicant was previously licensed as a nonresident producer in Indiana from October 22, 2008 through June 30, 2015, after Applicant failed to renew Applicant's license.
3. Before approving an application, the Commissioner must find that the applicant has met specific requirements under Indiana Code § 27-1-15.6-8 and Indiana Code § 27-1-15.6-12.

4. Indiana Code § 27-1-15.6-12(b)(1) provides, in part, that the Commissioner may refuse to issue an insurance producer license for providing incorrect, misleading, incomplete, or materially untrue information in a license application.
5. Indiana Code § 27-1-15.6-12(b)(6) provides, in part, that the Commissioner may refuse to issue an insurance producer license for having been convicted of a felony.
6. Indiana Code § 27-1-15.6-12(b)(8) provides, in part, that the Commissioner may refuse to issue a producer's license for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Indiana or elsewhere.
7. Indiana Code § 27-1-15.6-12(b)(9) provides, in part, that the Commissioner may refuse to issue a producer's license for having an insurance producer license or its equivalent, denied, suspended, or revoked in any other state, province, district, or territory.
8. Following a review of public records and the materials submitted by the Applicant, the Commissioner, being fully advised, now hereby notifies Applicant that she has not fully met the requirements of licensure, as stated by Indiana Codes §§ 27-1-15.6-12(b)(1), 27-1-15.6-12(b)(6), and 27-1-15.6-12(b)(8) due to Applicant's criminal history, which includes a felony conviction from January 11, 2001, for Intoxicated Assault – Serious Bodily Injury, a Third Degree Felony, in the State of Texas.
9. Following a review of public records and the materials submitted by the Applicant, the Commissioner, being fully advised, now hereby notifies Applicant that she has not fully met the requirements of licensure, as stated by Indiana Codes §§ 27-1-15.6-12(b)(1), 27-1-15.6-12(b)(8), and 27-1-15.6-12(b)(9) due to Applicant's failure to disclose on her 2020 application the following administrative actions:

- a. A January 19, 2018, administrative action taken by the State of Indiana, wherein the Indiana Department of Insurance denied Applicant's request to renew her license due to Applicant's failure to disclose her felony conviction on her original application for licensure;
- b. A November 6, 2018, administrative action taken by the State of Connecticut, wherein Applicant was denied licensure due to a failure to make a required disclosure on her Connecticut application;
- c. A February 20, 2019, administrative action taken by the State of South Dakota, wherein Applicant was denied licensure due to her failure to disclose the Indiana 2018 administrative action;
- d. A May 23, 2019, administrative action taken by the Commonwealth of Virginia, wherein Applicant's license was revoked due to Applicant's failure to report other state administrative action within thirty (30) days of the final disposition; and
- e. A September 5, 2019, administrative action taken by the State of North Carolina, wherein Applicant voluntarily surrendered her nonresident producer license for a period of two (2) years due to a failure to timely report other state actions.

- 10. Indiana Code § 27-1-15.6-12(d) provides that the Applicant may, not more than sixty-three (63) days after notice of denial of the applicant's application is mailed, make written demand to the Commissioner for a hearing before the Commissioner to determine the reasonableness of the Commissioner's action.

IT IS THEREFORE ORDERED that Applicant's request for licensure is hereby DENIED pursuant to Indiana Codes §§ 27-1-15.6-12(b)(1), 27-1-15.6-12(b)(6), 27-1-15.6-12(b)(8), and 27-1-15.6-12(b)(9), due to Applicant's criminal history, which includes a felony conviction, and for Applicant's failure to disclose multiple administrative actions on her 2020 application for licensure. Applicant may reapply for licensure not less than one (1) year from the date of this order.

8-20-2020

Date Signed



Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

Elaine M. Lefevre
5106 Drawbridge Lane,
Garland, TX 75044-5460

Victoria Hastings, Attorney
ATTN: Steven A. Embree, Investigator
Indiana Department of Insurance
311 W. Washington St., Suite 103
Indianapolis, IN 46204
317 234-5883, Fax 317 234-2103